

AMENDED IN SENATE AUGUST 16, 2005

AMENDED IN SENATE JULY 7, 2005

AMENDED IN ASSEMBLY MAY 26, 2005

AMENDED IN ASSEMBLY MARCH 30, 2005

AMENDED IN ASSEMBLY MARCH 10, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 119

Introduced by Assembly Member Strickland
(Principal coauthor: Senator Scott)

January 13, 2005

An act to amend Section 16531.1 of the Government Code, relating to human services, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 119, as amended, Strickland. Medi-Cal: HIV drug treatment: developmental services: financing.

Existing law creates the continuously appropriated Medical Providers Interim Payment Fund, for the purposes of paying Medi-Cal providers, providers of drug treatment services for persons infected with HIV, and providers of services for the developmentally disabled, for services provided on or after July 1, and before September 1, of the fiscal year for which a budget has not yet been enacted or there is a deficiency in the Medi-Cal budget in any fiscal year, and appropriates, for each fiscal year in which these payments are necessary, up to \$1,000,000,000 from the General Fund, in the form of loans, and \$1,000,000,000 from the Federal Trust Fund to the Medical Providers Interim Payment Fund.

This bill would delete the limitation on the application of the continuously appropriated funds to services provided, *and* would increase, to an amount not to exceed \$2,000,000,000, the annual appropriation from the General Fund and from the Federal Trust Fund to the Medical Providers Interim Payment Fund ~~and would extend the period from September 1 to November 1 for which those payments may be made~~. By expanding the scope of the application of the continuously appropriated funds, this bill would make an appropriation.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 16531.1 of the Government Code is
2 amended to read:
3 16531.1. (a) Notwithstanding any other provision of law and
4 without regard to fiscal year, if the annual State Budget is not
5 enacted by June 30 of any fiscal year preceding the fiscal year to
6 which the budget would apply or there is a deficiency in the
7 Medi-Cal budget during any fiscal year, both of the following
8 shall occur:
9 (1) The Controller shall annually transfer from the General
10 Fund, in the form of one or more loans, an amount not to exceed
11 a cumulative total of two billion dollars (\$2,000,000,000) in any
12 fiscal year, to the Medical Providers Interim Payment Fund,
13 which is hereby created in the State Treasury. Notwithstanding
14 Section 13340 of the Government Code, the Medical Providers
15 Interim Payment Fund is hereby continuously appropriated
16 without regard to fiscal years for the purpose of making
17 payments to Medi-Cal providers, providers of services under
18 Chapter 6 (commencing with Section 120950) of Part 4 of
19 Division 105 of the Health and Safety Code, and providers of
20 services under Division 4.5 (commencing with Section 4500) of
21 the Welfare and Institutions Code, on or after July 1 of the fiscal
22 year for which no budget has been enacted ~~and before November~~
23 *before September 1* of that year or for the purpose of making
24 payments to Medi-Cal providers, providers of services under
25 Chapter 6 (commencing with Section 120950) of Part 4 of
26 Division 105 of the Health and Safety Code, and providers of

1 services under Division 4.5 (commencing with Section 4500) of
2 the Welfare and Institutions Code, during the period in which the
3 Medi-Cal program has a deficiency. Payments shall be made
4 pursuant to this subdivision if both of the following conditions
5 have been met:

6 (A) An invoice has been submitted for the services.

7 (B) Payment for the services is due and payable and the State
8 Department of Health Services determines that payment would
9 be valid.

10 (2) For any fiscal year to which this subdivision applies, there
11 is hereby appropriated the sum of two billion dollars
12 (\$2,000,000,000) from the Federal Trust Fund to the Medical
13 Providers Interim Payment Fund.

14 (b) Upon the enactment of the annual Budget Act or a
15 deficiency bill in any fiscal year to which subdivision (a) applies,
16 the Controller shall transfer all expenditures and unexpended
17 funds in the Medical Providers Interim Payment Fund to the
18 appropriate Budget Act item.

19 (c) The amount of any loan made pursuant to subdivision (a)
20 and for which moneys were expended from the Medical
21 Providers Interim Payment Fund shall be repaid by debiting the
22 appropriate Budget Act item in accordance with the procedure
23 prescribed by the Department of Finance.